

JFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

16

Application Number

10/608666

Filing Date

June 27, 2003

First Named Inventor

Ferree

Art Unit

3738

Examiner Name

Pellegrino

Attorney Docket Number

SP113.1

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD

Remarks



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):

Return Postcard

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Jerrold J. Litzinger

Signature

Jerrold J. Litzinger

Printed name

Jerrold J. Litzinger

Date

May 9, 2005

Reg. No.

29402

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Jerrold J. Litzinger

Typed or printed name

Jerrold J. Litzinger

Date

May 9, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: FERREE

Serial No.: 10/608,666

Filing Date: June 27, 2003

For: EXPANDING ARTHROPLASTY
DEVICES

Group Art Unit: 3738

Examiner: Pellegrino

Honorable Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUBMISSION OF PROPOSED DRAWING AMENDMENTS
FOR APPROVAL BY EXAMINER (37 CFR § 1.121(d))

Enclosed are several drawings filed for this application which address the Examiner's objection to FIG. 1. A replacement sheet containing the change requested by the Examiner, along with the original drawing marked up in red to show the change is enclosed.

It is submitted that there is support in the specification for this change. The applicant respectfully requests the approval of the Examiner for this change.

Respectfully submitted,

Jerrold J. Litzinger
Reg. No. 29,402
2134 Madison Road
Cincinnati, Ohio 45208
Attorney for Applicant

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on MAY 9, 2005.

ALEXANDRIA, VA 22313

JERROLD J. LITZINGER

Person Signing Certificate

Jerrold J. Litzinger
Signature of Person Signing
Certificate

MAY 9, 2005
Date of Signature